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OIPE JC37 JAN 20 2004 PATENT & TRADEMARK OFFICE

Attorney Docket No. 9400-57 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Wealthy Desai
Serial No.: 10/673,751
Filed: September 29, 2003
For: SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING CUSTOMER SALES INFORMATION

Date: January 15, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of September 29, 2003 rather than September 30, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of September 29, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;

2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page (www.usps.com), showing "acceptance" or deposit date with the USPS at 5:28 p.m. on September 29, 2003; and

3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicants were improperly given the filing date of September 30, 2003 instead of the Express Mail date of September 29, 2003.

This petition is being filed promptly after Applicants became aware of the improperly accorded filing date. Accordingly, Applicants respectfully request the granting of September 29, 2003 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicants properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicants' belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

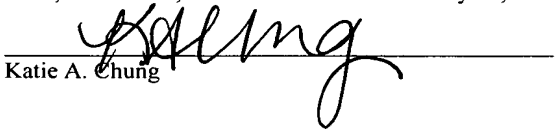


David D. Beatty
Attorney For Applicants
Registration No. 38,071

USPTO Customer No. 39072
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 15, 2004.



Katie A. Chung

CIPE JC37 JAN 20 2004 PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: **9400-57**
DATE: **September 29, 2003**

UTILITY PATENT APPLICATION TRANSMITTAL LETTER AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:
☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.:_____; filed _____, the disclosure of which is incorporated herein by reference in its entirety.
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:
Wealthy Desai, 351 Summerset Lane NE, Atlanta, GA 30328

Entitled: **SYSTEMS, METHODS AND COMPUTER PROGRAM PRODUCTS FOR PROVIDING CUSTOMER SALES INFORMATION**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:
1. ☒ Application Transmittal Letter and Fee Transmittal Form *(A duplicate is enclosed for fee processing)*
2. ☒ **40** pages of Specification (including **43** claims)
3. ☒ **6** sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 a. ☒ newly executed *(original or copy)*
 b. ☐ copy from prior application (37 CFR 1.63(d) *(for continuation/divisional)* **[Note Box 6 Below]**
 c. ☐ DELETION OF INVENTOR(S) *(Signed statement deleting inventor(s) named in the prior application)*
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference *(useable if box 4b is checked)*
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under

Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ Microfiche Computer Program *(Appendix)*
8. ☒ Assignment papers *(cover sheet(s) and document(s))*
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 2 references cited
11. ☐ Preliminary Amendment ***(Please enter all claim amendments prior to calculating the filing fee.)***
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
17. ☒ Other: **Request for Non-Publication**

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			$375.00	$750.00
TOTAL CLAIMS	43 - 20 =	23	x 09 = $	x 18 = $414
INDEP CLAIMS	15 - 3 =	12	x 42 = $	x 84 = $1008
☐ MULTIPLE Dependent Claims Presented			+ 140 = $	+ 280 = $
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total $	Total $2172

☐ A check in the amount of $ to cover the filing fee is enclosed.

☒ A check in the amount of **$2212** is enclosed to cover the filing fee, PLUS the Assignment Recordation fee ($40.00).

☐ Please charge my Deposit Account No. 50-0220 in the amount of $

☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:

a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.

b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

David D. Beatty
Registration No. 38,071

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 193633629 US
Date of Deposit: September 29, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH NC 27627-7428

9400-57 / DDB

TO: (PLEASE PRINT) PHONE ()

MAILSTOP PATENT APPLICATION
COMMISSIONER OF PATENTS
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OIPE JC53 JAN 20 2004 PATENT & TRADEMARK OFFICE

OIPE JC37
JAN 20 2004
PATENT & TRADEMARK OFFICE

MS Patent Appln DDB/dh

Commissioner for Patents
Washington, DC 20231

Date: 9.29.03
Doc. No. 9400.57
Serial No. N/A
Inventor: Desai

Sir: Kindly acknowledge receipt of the accompanying items listed below by placing your receiving stamp hereon and return mailing:

- ✓ Application Transmittal and:
 - ✓ Specification pages 40
 - ✓ No. of Claims 20 43
 - ✓ Declaration & POA
 - ✓ Assignment and Fee
 - ___ Small Entity Statement
 - ✓ Formal Drawings/ 6 sheets
 - ___ Associate Power of Attorney
 - ✓ Exp. Mail ___ 1st Class Mail
- ✓ Check $ 2212
- ✓ IDS & PTO-1449 & 2 refs.
- ___ Amendment & Amend. Transmittal
- ___ Preliminary Amendment
- ___ Issue Fee
- ___ Brief
- ___ Appeal
- ___ Submittal of Priority Doc.
- ✓ Other: Non-Publication Request

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

16235 U.S. PTO
10/673751
09/30/03

OIPE
JAN 20 2004
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371(C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/673,751	09/30/2003	3624	2172	9400-57	6	43	15

CONFIRMATION NO. 1479

39072
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
P.O. BOX 37428
RALEIGH, NC 27627

FILING RECEIPT

OC000000011544874

Date Mailed: 12/22/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Wealthy Desai, Atlanta, GA;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 12/19/2003

Pr jected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Systems, methods and computer program products for providing customer sales information

Preliminary Class

705

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- ARRIVAL AT UNIT, September 30, 2003, 8:17 am, DULLES, VA 20102
- ENROUTE, September 29, 2003, 7:44 pm, RALEIGH, NC 27623
- ACCEPTANCE, September 29, 2003, 5:28 pm, RALEIGH, NC 27612

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